

ENTERED

March 26, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

MATTHEW ROPOLO, DA-NA ALLEN, §
JOHNNY COOK, and VICTOR VALDEZ §
on behalf of themselves and others similarly §
situated, §

Plaintiffs,

v.

LANNETTE LINTHICUM, in her official §
capacity as the medical director of the §
TEXAS DEPARTMENT OF CRIMINAL §
JUSTICE, and PHILIP KEISER, CYNTHIA §
JUMPER, RODNEY BURROW, F. §
PARKER HUDSON III, ERIN WYRICK, §
JOHN BURRUSS, PRESTON JOHNSON, §
JR., and DEE BUDGEWATER, in their §
official capacities as the members of the §
CORRECTIONAL MANAGED HEALTH §
CARE COMMITTEE, and OWEN §
MURRAY, in his official capacity as the §
director of the UNIVERSITY OF TEXAS §
MEDICAL BRANCH CORRECTIONAL §
MANAGED CARE program, §

Defendants.

Civil Action No.
2:19-cv-262

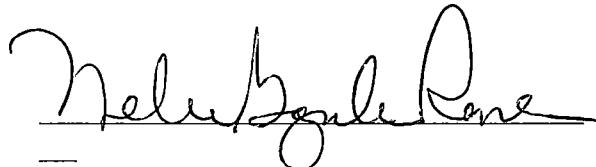
AMENDED ORDER GRANTING CLASS CERTIFICATION

The Court, having considered Plaintiffs' unopposed motion to certify a class, approve the class notice, and set a date for the class action settlement fairness hearing, the Parties' advisory of March 16, 2021, the Defendants' lack of opposition and agreement with the relief requested, all other pleadings on file, and the applicable law, hereby FINDS and ORDERS as follows.

1. This matter satisfies the prerequisites for certification of a class action under Federal Rule of Civil Procedure 23(a) and 23(b)(2). The members of the Class are so numerous that joinder of all members is not practicable, there are questions of law and fact common to the Class, the claims of the named Plaintiffs are typical of the Class, and the Plaintiffs Roppolo, Allen, Valdez, and Cook will fairly and adequately protect the interests of the Class.
2. Based on the allegations of and evidence adduced by the Plaintiffs, the Court finds that the Class satisfies Federal Rule of Civil Procedure 23(b)(2) in that it appears Defendants have acted on grounds generally applicable to the Class, thereby making final injunctive relief appropriate with respect to the Class as a whole.
3. The Class, by agreement of the Parties and pursuant to all the prerequisites of Rule 23(a) and 23(b)(2), is certified as the list filed contemporaneously with Doc. 148 (filed under seal as Doc. 148-1), which are intended to include all inmates in TDCJ custody who had been diagnosed with Chronic Hepatitis C as of September 3, 2020 (unless excluded by agreement of the Parties), and who remained in TDCJ custody as of February 26, 2021 (the date the Settlement Agreement was executed).
4. All other provisions in the Court's Order Granting Class Certification, Approving Class Notice and Setting Date for Fairness Hearing (Doc. 138), entered on March 8, 2021, remain in effect.

It is so ORDERED.

Date: March 25, 2021.



NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE